

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

MDL No. 2804

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

Case No. 17-md-2804

Judge Dan Aaron Polster

STATUS REPORT FOR KEYSOURCE MEDICAL, INC.

Pursuant to the Court's Order entered April 21, 2022 (Dkt. 4380), defendant distributor Keysource Medical, Inc. ("KMI") submits this Status Report.

KMI was a small distributor of pharmaceutical products with its sole distribution facility located in Cincinnati, Ohio. KMI mainly sold generic drugs to non-chain pharmacies. KMI has not sold any controlled substances since mid-2011, and ceased operating in June 2016.

KMI was first named in any opioid litigation in June 2012 when it and 11 other distributors were sued by the West Virginia Attorney General in Boone County, West Virginia. The claims against KMI were settled in Spring, 2016.

Since the formation of this MDL, KMI was named in approximately 87 cases now pending in the MDL.¹ Cases are brought primarily by counties, but sometimes by cities, towns, townships or other subdivision selected by plaintiff. Of those cases, 53 were filed by municipalities in Oklahoma, although KMI did not have a particularly large footprint in that state. It is believed that KMI did not sell any opioid products from 2006 to the present in at least 39 of the 87 municipalities that have sued KMI. KMI is not aware of it being named as a defendant in any opioid cases other than those presently pending in this MDL.

KMI is interested in discussing settling the claims against it, and does not object to the service of this Court in that process. Several years ago, counsel for KMI reached out to several

¹ In one case KMI is listed on the case style but never mentioned within the complaint.

different Plaintiffs' counsel who represented the majority of the municipalities that had named KMI as a defendant, and none of those counsel were interested in talking with KMI at that time. Nonetheless, KMI remains interested in engaging in discussions with Plaintiffs' counsel.

KMI does not take a position on the selection of the next bellwether trial, except that if a case is selected in which KMI is a party, KMI requests that it be afforded an opportunity to mediate the claims against it prior to remand of that case or prior to the case proceeding in earnest.

DATED: June 15, 2022

KEYSOURCE MEDICAL, INC.
By Spilman Thomas & Battle, PLLC

/s/ Clifford F. Kinney, Jr.
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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that the foregoing document was served via the Court's ECF system to all counsel of record on June 15, 2022.

/s/ Clifford F. Kinney, Jr.
Clifford F. Kinney, Jr.